

**CONCURRING STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

Re: *Petition for Waiver of Pricing Flexibility Rules for Fast Packet Services; Petition for Forbearance Under 47 U.S.C. Section 160(c) from Pricing Flexibility Rules for Fast Packet Services*, Memorandum Opinion and Order, WC Docket No. 04-246 (Sept. 22, 2005).

In this Order, we grant Verizon flexibility in pricing certain packet switched services consistent with its existing flexibility for other special access services. I support this waiver based on the current record but note that this order should not be read to prejudge the Commission's on-going review of the special access pricing rules and pricing flexibility regime. In the Commission's comprehensive rulemaking addressing these issues, we have sought comment on whether the Commission's special access framework accurately targets relief to the development of interstate special access competition. I look forward to addressing these issues with my colleagues as expeditiously as possible.